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**AUG 18 2005**

**17465DIV(AP)**  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Andrews et al

Serial No: 10/783,325

Customer No.: 51957

Conf. No.: 6873

Group No. : 1626

Examiner: Golam M. Shameem

Filed: February 20, 2004

For: 3-(ARYLAMINO)METHYLENE-  
1,3-DIHYDRO-2H-INDOL-2-ONES AS  
KINASE INHIBITORS

Commissioner for Patents  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Dear Sir:

The owner, Allergan, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 and 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,765,012 B2. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Date: 8/17/05

By: RJ Baran

ROBERT J. BARAN

Assistant General Counsel  
ALLERGAN, INC.

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☒ Please charge the terminal disclaimer fee under 37 CFR 1.20(d) to Account No. 01-0885. A duplicate of this terminal disclaimer is enclosed.

☒ PTO suggested wording for terminal disclaimer was unchanged.

Please direct all correspondence to:

Robert J. Baran (T2-7H)

Attorney of Record

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CERTIFICATE OF FAX TRANSMISSION	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED TO THE CENTRAL	
FAX NUMBER 571-273-8399, ON <u>8/18/05</u> (Date)	
Name of person making deposit: <u>Bonnie Ferguson</u>	
Signature: <u>Bonnie Ferguson</u>	Date: <u>8/18/05</u>